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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2873

00684.002935

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Toshiyuki YOSHIHARA

Application No.: 09/438,491

)

Filed: November 12, 1999

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For: ABERRATION CORRECTING OPTICAL SYSTEM

August 27, 2004

Mail Stop AF

Commissioner for Patents

Commissioner
P.O. Box 1450

P.O. Box 1450

Sir.

Transmitted herewith is an Amendment After Final Rejection in the above-identified application.

No additional fee is required.

The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	9	MINUS	36	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	1	MINUS	4	= 0	x \$43 \$86	\$0.00
Fee for Multiple Dependent claims \$145/\$290						—
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

- °Verified Statement claiming small entity status is enclosed, if not filed previously.
- A check in the amount of \$ _____ is enclosed including the additional claims fee.
- Charge \$____ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- A check in the amount of \$_____ to cover the fee for a one month extension is enclosed.
- A check in the amount of \$____ to cover the Information Disclosure Statement fee is enclosed.
- Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,



Attorney for Applicant
Steven E. Warner
Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
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SEW/eab

DC_MAIN 96052v1



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Examiner: J. M. Schwartz
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Group Art Unit: 2873
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Confirmation No.: 9399
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August 27, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION

Sir:

In response to the Official Action dated June 17, 2004, please amend the above-identified application as follows: